IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. ---- OF 2011
IN
MISC.PETITION NO. 45 OF 2002
IN
TESTAMENTARY PETITION NO. 109 OF 2002

Smt.Jatan Gulab Daga ...Petitioner
VS.
Smt.Kanchandevi Sanchaylal Daga & Anr....Respondents
and
Mahendra Popatlal Shah ...Applicant

Mr.M.V. Chande for the Petitioner.
Mr.Madhav Jamdar for the Applicant.
Mr.Satish Upadhyay i/b. M/s.Ajay Law Associates for the Respondents.
Mr.D.V. Arondekar, Section Officer of Court Receiver present.

CORAM : U.D. SALVI, J.
(VACATION JUDGE)

MAY 20, 2011

P.C :-

1 Heard.

2 The applicant an Agent of the Court Receiver holding the possession of the property being Plot NO.14-B, Mahal Industrial Estate,

Mahakali Caves Road, Andheri (E), Mumbai, under the Agreement dated 10th September, 2008 executed by and between himself and the Court Receiver pursuant to the Order dated 27th September, 2002, submits that he is not interested in holding the possession as the Agent of the Court Receiver and wishes to surrender the possession to the Court Receiver. A statement is made by the applicant that he undertakes to satisfy all the liabilities arising out of the said Agreement and to pay the dues as may be accrued as a result of his appointment as an Agent of the Court Receiver as on this date.

3 The learned Counsel for the petitioner submits that a meeting between the parties including the Agent of the Court Receiver and the Court Receiver is scheduled to be held on 31st May, 2011 when the decision regarding the future course of action would be taken. Court Receiver s representative confirms this fact.

4 Let the matter be posted before the Court Receiver to take appropriate decision as regards to surrendering of the possession of the said property and the liabilities of the Agent arising therefrom in the meeting scheduled to be held on 31st May, 2011.

(U.D. SALVI, J.)